

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA,

§

Plaintiff,

§

v.

3:17-CR-561-M

AKIIA RASHIDA SMALL

§

Defendant.

§

GOVERNMENT'S MOTION TO DISMISS INDICTMENT WITH PREJUDICE

The United States of America by and through the undersigned counsel, moves this Court to dismiss the indictment returned on or about October 24, 2017, that is currently pending against defendant, Akiia Rashida Small (herein “Ms. Small”), with prejudice. In support thereof, the government shows:

1. Ms. Small entered into a pretrial diversion agreement with the government on August 7, 2018.
2. That agreement required Ms. Small not to violate any law; to complete 40 hours of community service; report to a pretrial diversion supervisor; participate in treatment and counseling for substance abuse; continue in the care of a healthcare provider; and to pay restitution in the amount of \$3,500 to Southwest Airlines.
3. US Probation has notified the government that Ms. Small has complied with the conditions of this agreement.
4. A dismissal of the indictment would be appropriate in the interest of justice.

WHEREFORE, PREMISES CONSIDERED, the government asks that this Honorable Court dismiss the pending indictment against Ms. Small, with prejudice.

ERIN NEALY COX
UNITED STATES ATTORNEY

/s/ Errin Martin
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APPROVED:

/s/ Stephen P. Fahey
STEPHEN P. FAHEY
Criminal Chief

CERTIFICATE OF CONFERENCE

I hereby certify that I have spoken with Ms. Small's attorney of record, Gabriel Reyes, and he is unopposed to the filing of this motion.

/s/ Errin Martin
ERRIN MARTIN

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2019 I electronically filed the foregoing document using the Court's CM/ECF system, thereby providing service on attorneys of record.

/s/ *Errin Martin*
ERRIN MARTIN